

PROB 12C
(Rev. 2/13)

UNITED STATES DISTRICT COURT

for

DISTRICT OF NORTH DAKOTA

Amended Petition for Warrant or Summons for Person under Supervision

Name of Person Under Supervision: Jonathan Montanez Case Number: 0868 3:20CR00170

Name of Sentencing Judicial Officer: Peter D. Welte, Chief U.S. District Court Judge

Date of Original Sentence: April 2, 2021

Date of Revocation Sentence: March 21, 2023

Original Offense: Civil Disorder

Original Sentence: 24 months with credit for time served // 36 months TSR

Revocation Sentence: 8 months with credit for time served // 24 months TSR

Type of Supervision: TSR

Date Supervision Commenced: 9/1/2023

Asst. U.S. Attorney: Richard Michael Lee

Defense Attorney: Christopher J. Lancaster

PETITIONING THE COURT

☐ To issue a warrant

☐ To issue a summons

The probation officer believes that the person under supervision has violated the following condition(s) of supervision:

<u>Violation No.</u>	<u>Nature of Noncompliance</u>
1.	Mr. Montanez tested positive for methamphetamine and alcohol on January 1, 2024. He had a breathalyzer BAC (blood alcohol concentration) reading of .039. This is a violation of Special Condition #1 which requires the defendant to abstain from the use of alcohol and illegal drugs.
2.	On January 1, 2024, Mr. Montanez absconded from Centre Inc. His current whereabouts are unknown. This is a violation of Special Condition #6 which requires the defendant to comply with all rules and regulations of the Residential Re-Entry Center (RRC) and not withdraw from the facility without prior permission from the probation officer.

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3. **On February 11, 2024, Mr. Montanez was charged with Misdemeanor Possession of a Controlled Substance. On April 1, 2024, Mr. Montanez was convicted of Misdemeanor Possession of a Controlled Substance.** This is a violation of Mandatory Condition #1 which requires the defendant to not commit another federal, state, or local crime.

U.S. Probation Officer Recommendation: Please note that Mr. Montanez is currently in custody pending final revocation. It is respectfully recommended that this Amended Petition be filed with the Courts.

☒ The term of supervision should be:

☒ Revoked.

☐ Extended for _____ years, for a total term of _____ years.

☐ The conditions of supervision should be modified as follows:

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 10, 2024

/s/ Paige Olson
U.S. Probation Officer

THE COURT ORDERS:

- ☐ No Action.
- ☐ The Issuance of a Warrant/Matter Sealed Pending Arrest.
- ☐ The Issuance of a Summons.
- ☒ Other – amended petition

/s/ Peter D. Welte

Signature of Judicial Officer

April 11, 2024

Date